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6 UNITED STATES DISTRICT COURT
7 DISTRICT OF NEVADA

8 CYRUS S. WHITTAKER, individually on
behalf of himself,

9 Plaintiff,

10 v.

11 SMILEDIRECTCLUB, LLC; ZACHARY
POTTS, D.D.S.; MICHAEL GUIRGUIS,
12 D.D.S.; DOES 1 through 10; and ROE
ENTITIES 11 through 20, inclusive,

13 Defendants.
14

CASE NO.: 2:21-cv-01019-RFB-BNW

STIPULATION TO EXTEND OPPOSITION
DEADLINE (FOURTH REQUEST) FOR
MOTION TO DISMISS DEFENDANTS
ZACHARY POTTS, D.D.S. AND MICHAEL
GUIRGUIS, D.D.S. FOR LACK OF
PERSONAL JURISDICTION
AND [PROPOSED] ORDER

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16 Plaintiff Cyrus Whittaker and Defendants SmileDirectClub, LLC; Zachary Potts, D.D.S.;
17 Michael Guirguis, D.D.S, by and through their undersigned counsel, hereby stipulate as follows:

- 18 1. Plaintiff's Opposition to Defendants' Motion to Dismiss Defendants Zachary Potts,
19 D.D.S. and Michael Guirguis, D.D.S. for Lack of Personal Jurisdiction was initially
20 due June 18, 2021.
- 21 2. On June 16, 2021, Plaintiff and Defendants agreed (via stipulation) to extend the
22 deadline for Plaintiff's Opposition to Defendants' Motion to Dismiss Defendants
23 Zachary Potts, D.D.S. and Michael Guirguis, D.D.S. for Lack of Personal Jurisdiction

1 from June 18, 2021 to June 28, 2021. On June 23, 2021, Plaintiff and Defendants
2 further agreed (via stipulation) to extend the deadline for Opposition to Defendants'
3 Motion to Dismiss Defendants Zachary Potts, D.D.S. and Michael Guirguis, D.D.S.
4 for Lack of Personal Jurisdiction to July 6, 2021. Plaintiff and Defendants further
5 agreed (via stipulation) to extend the deadline for Opposition to Defendants' Motion
6 to Dismiss Defendants Zachary Potts, D.D.S. and Michael Guirguis, D.D.S. for Lack
7 of Personal Jurisdiction to July 12, 2021. These requests were previously granted by
8 the Court.

- 9 3. Plaintiff and Defendants have further agreed, due to continuing preliminary work
10 together on this case, to extend the deadline for Opposition to Defendants' Motion to
11 Dismiss Defendants Zachary Potts, D.D.S. and Michael Guirguis, D.D.S. for Lack of
12 Personal Jurisdiction to August 16, 2021.

13 Based on the foregoing, with good cause appearing, Plaintiff and Defendants stipulate as
14 follows:

- 15 1. The deadline for Plaintiff's Opposition to the Defendants' Motion to Dismiss
16 Defendants Zachary Potts, D.D.S. and Michael Guirguis, D.D.S. for Lack of Personal
17 Jurisdiction is continued to August 16, 2021.

18 **IT IS SO STIPULATED.**

1 DATED: July 12, 2021

PLAINTIFF, IN PRO PER

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3 By: /s/ Cyrus Whittaker
CYRUS S. WHITTAKER (PLAINTIFF)
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7 DATED: July 12, 2021

HALL PRANGLE & SCHOONVELD, LLC

8
9 By: /s/ Tyson Dobbs
TYSON J. DOBBS, Esq.
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12 *Attorneys for Defendants*
SmileDirectClub, LLC, Zachary Potts, D.D.S.
13 *and Michael Guirguis, D.D.S.*
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1 **ORDER**

2 The Court, having considered the stipulation between the Plaintiff and Defendants and with good
3 cause appearing, hereby orders as follows:

- 4 1. The deadline for Plaintiff's Opposition to the Defendants' Motion to Dismiss
5 Defendants Zachary Potts, D.D.S. and Michael Guirguis, D.D.S. for Lack of
6 Personal Jurisdiction is continued to August 16, 2021.

7 **IT IS SO ORDERED.**

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RICHARD F. BOULWARE, II
United States District Judge

10 DATED this 13th day of July, 2021